

AMENDED IN SENATE AUGUST 31, 2000

AMENDED IN SENATE AUGUST 30, 2000

AMENDED IN SENATE AUGUST 25, 2000

AMENDED IN SENATE MAY 8, 2000

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY APRIL 15, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1015

**Introduced by Assembly Members Gallegos, Cedillo,
Hertzberg, and Villaraigosa
(Principal coauthors: Assembly Members Firebaugh,
Migden, and Wildman)**

February 25, 1999

An act to add Section 12693.755 to the Insurance Code, ~~and to add Section 14005.25 to the Welfare and Institutions Code,~~ relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 1015, as amended, Gallegos. Healthy Families: ~~Medi-Cal~~ eligibility.

Existing law establishes the Healthy Families Program to arrange for the provision of health care services to children from low-income households. The program is administered by the Managed Risk Medical Insurance Board and is operated

with federal financial participation under a federal program entitled the State Children's Health Insurance Program.

Existing law continuously appropriates funds in the Healthy Families Fund to the board for purposes of the Healthy Families Program.

This bill would ~~provide that~~ *require the board, commencing July 1, 2001,* to the extent federal financial participation is available and funds are appropriated *specifically* for this purpose, *to expand eligibility under the Healthy Families Program* to parents of *uninsured* children eligible ~~under the Healthy Families Program would be~~ eligible for coverage under that program. It would provide that no appropriation would be made for this purpose from the Healthy Families Fund.

~~Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which health care services are provided to qualified low-income persons.~~

~~This bill would provide that, to the extent that federal financial participation is available and funds are appropriated for this purpose, parents of children eligible for the Medi-Cal program would be covered under that program.~~

~~Because each county is responsible for administering Medi-Cal eligibility requirements, this bill would, by expanding Medi-Cal eligibility, constitute a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: *yes no*.

The people of the State of California do enact as follows:

SECTION 1. Section 12693.755 is added to the Insurance Code, to read:

12693.755. (a) Subject to ~~subdivision (b)~~ subdivisions (b) and (c), commencing July 1, 2001, ~~uninsured parents of eligible children shall be eligible to receive coverage under this part.~~ the board shall expand eligibility under this part to uninsured parents of children eligible to receive coverage under this part.

(b) The board, in conjunction with the State Department of Health Services, shall seek any federal waivers necessary to implement subdivision (a).

(c) Subdivision (a) shall be implemented only to the extent that federal financial participation is obtained, and funds are appropriated specifically for this purpose. No appropriation shall be made for this purpose by Section 12693.96.

~~SEC. 2. Section 14005.25 is added to the Welfare and Institutions Code, to read:~~

~~14005.25. (a) Subject to subdivision (b), commencing July 1, 2001, an uninsured parent whose child or children are eligible for the Medi-Cal program in accordance with Section 1902(l) of the federal Social Security Act (42 U.S.C. Sec. 1396a(l)) shall be eligible to receive coverage under this chapter.~~

~~(b) The department, in conjunction with the waiver proposal prepared by the Managed Risk Medical Insurance Board to provide coverage to uninsured parents of children eligible to participate in the Healthy Families Program, shall seek any federal waivers necessary to implement subdivision (a).~~

~~(c) Subdivision (a) shall be implemented only to the extent that federal financial participation is obtained and funds are appropriated specifically for this purpose.~~

~~SEC. 3. The State Department of Health Services and the~~

~~SEC. 2. The Managed Risk Medical Insurance Board may adopt emergency regulations to implement this act in accordance with the Administrative Procedures Act~~

1 (Chapter 3.5 (commencing with Section 11340) of Part 1
2 of Division 3 of Title 2 of the Government Code). The
3 initial adoption of emergency regulations and one
4 readoption of the initial regulations shall be deemed to be
5 an emergency and necessary for the immediate
6 preservation of the public peace, health and safety, or
7 general welfare. Initial emergency regulations and the
8 first readoption of those regulations shall be exempt from
9 review by the Office of Administrative Law. The
10 emergency regulations authorized by this section shall be
11 submitted to the Office of Administrative Law for filing
12 with the Secretary of State and publication in the
13 California Code of Regulations and shall remain in effect
14 for no more than 180 days.

15 ~~SEC. 4. Notwithstanding Section 17610 of the~~
16 ~~Government Code, if the Commission on State Mandates~~
17 ~~determines that this act contains costs mandated by the~~
18 ~~state, reimbursement to local agencies and school~~
19 ~~districts for those costs shall be made pursuant to Part 7~~
20 ~~(commencing with Section 17500) of Division 4 of Title~~
21 ~~2 of the Government Code. If the statewide cost of the~~
22 ~~claim for reimbursement does not exceed one million~~
23 ~~dollars (\$1,000,000), reimbursement shall be made from~~
24 ~~the State Mandates Claims Fund.~~

